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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON

7 JUSTIN M. ANEST,

8 Plaintiff,

9 v.

10 LT. HOOPER,
SGT. HILL, and
SGT. VELOSKI,

11 Defendants.

NO: 2:17-CV-0058-TOR

ORDER OF DISMISSAL WITHOUT
PREJUDICE, CEASE COLLECTION
OF FILING FEE

12 BEFORE THE COURT are the Magistrate Judge's Report and
13 Recommendation to Strike First Amended Complaint, Dismiss Complaint without
14 Prejudice, and Direct that Collection of the Filing Fee Cease (ECF No. 19), Motion
15 to Voluntarily Dismiss Complaint (ECF No. 16), and Motion to Waive Filing Fee
16 (ECF No. 17). No objection to the Report and Recommendation has been filed.

17 **ACCORDINGLY, IT IS HEREBY ORDERED:**

- 18 1. The Report and Recommendation (ECF No. 19) is **GRANTED**.
19 2. Plaintiff's First Amended Complaint is **STRICKEN**.
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1 3. Plaintiff's Motion to Voluntarily Dismiss Complaint (ECF No. 16) is

2 **GRANTED.** All claims in this action are **DISMISSED without prejudice.**

3 4. Plaintiff's Motion to Waive Filing Fee (ECF NO. 17) is **GRANTED.** The
4 institution having custody of Plaintiff shall cease collection of any remaining
5 filing fee in this action.

6 The District Court Executive is directed to enter this Order, furnish copies to
7 the Plaintiff and to the Spokane County Jail, Attn: Jail Office Supervisor, W. 1100
8 Mallon, Spokane, Washington 99260, and **CLOSE** the file.

9 **DATED** May 30, 2017.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge